

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA



CASE NO.:

VIRAL DRM LLC,

Plaintiff,

v.

UNKNOWN YOUTUBE UPLOADERS,

Defendants.

---

**DECLARATION OF JOEL ROTHMAN**

I, Joel Rothman, declare and say:

1. I am an attorney duly admitted to the bar of this Court and the Georgia Bar.
2. I am counsel for VIRAL DRM LLC.
3. I make this declaration in support of Viral DRM, LLC' s request for the clerk of this Court to issue the subpoena attached to the request at Exhibit 2, pursuant to the Digital Millennium Copyright Act (DMCA), 17 U.S.C. §512(h).
4. I have personal knowledge of the facts stated in this Declaration and if called to do so, would testify competently thereto.
5. I am authorized by Viral DRM, LLC to make this request on its behalf.
6. Viral DRM, LLC is an Alabama limited liability company.
7. The subpoena requested is directed to Google LLC which has offices in this judicial district and division and has appointed an agent for service of process in this judicial district.

8. Viral DRM, LLC is a content creator and is an exclusive copyright owner in and to copyrighted works including videos listed in the DMCA takedown notices referenced in the exhibits to the motion (the "Copyrighted Content").

9. The Copyrighted Content Viral DRM, LLC creates is the property of Viral DRM, LLC or Viral DRM, LLC has an exclusive license to the Copyrighted Content.

10. The unauthorized use of the Copyrighted Content causes Viral DRM, LLC significant monetary harm.

11. Viral DRM, LLC identified its Copyrighted Content uploaded by the Unknown YouTube Uploaders listed in Schedule A to the Subpoena attached to the request.

12. Viral DRM, LLC submitted takedown requests for its Copyrighted Content as indicated in the documents attached as Exhibit 3.

13. Several of the Unknown YouTube Uploaders responded to Viral DRM, LLC's DMCA notices with a false and misleading counter notices attached as Exhibit 4.

14. The Unknown YouTube Uploaders falsely claimed they were entitled to use the Copyrighted Content based on the doctrine of fair use.

15. In order to keep Viral DRM, LLC's Copyrighted Content from being reposted by Google, LLC, Viral DRM, LLC needs the identity of the Unknown YouTube Uploaders to file suit.

16. The Unknown YouTube Uploaders counter notices contain a name and address that on information and belief are false.

17. Viral DRM, LLC need to obtain the true name, address, and identifying information for the Unknown YouTube Uploaders.

18. The sole purpose for which the requested subpoena is sought is to obtain the true identity of the alleged persons or entities violating Viral DRM, LLC's copyrights, and such information will only be used for the purpose of protecting Viral DRM, LLC's copyright rights.

I declare under perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 11, 2023 at Boca Raton, Florida.

/s/ Joel B. Rothman

Joel Rothman